

REMARKS

Claims 1, 10, 20, and 30-32 have been further amended. Accordingly, claims 1-4, 6-13, 15-27, and 29-38 are pending in this application and are submitted for consideration.

Applicant's representative would like to thank Examiner Chandler and Examiner Patel for discussing the application in detail on June 12, 2007. In accordance with the discussion, the claims have been amended as to form. No new matter has been added.

The present invention as claimed is directed to systems and method for performing a batch auction of trade orders. The batch auction can be conducted immediately preceding or following a trading stoppage on a continuously traded financial market for a security, which may include an intermediate "cross." The claimed invention is characterized by steps or components that determine an optimum price at which to execute orders in batch, which reflects true market forces while eliminating gaming that is prevalent in the prior art auction processes.

According to the invention, participants in the batch auction are provided with current order information entered into the order book during the acceptance period, such as an indicated price and trade order imbalance. In return, participants are allowed to enter new orders and/or modify previous orders only if they satisfy a set of predetermined criteria as fully explained in the present application with reference to Fig. 2 of the application. Consequently, the opportunity for gaming is substantially

reduced or eliminated, while allowing participants to place orders based on a fuller understanding of true market conditions.

None of the prior art teaches any methodology for performing a batch auction during a trading stoppage on a continuously traded market, such as an intraday cross, as claimed by the present application.

In view of the above, the Applicant submits that the application is now in condition for allowance and requests that claims 1-4, 6-13, 15-27, and 29-38 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

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Date

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